

LYNNFIELD TOWN WARRANT

THE COMMONWEALTH OF MASSACHUSETTS

ANNUAL TOWN ELECTION - APRIL 9, 2019

ANNUAL TOWN MEETING - APRIL 29, 2019

Essex, ss.

To the Constable of the Town of Lynnfield in the County of Essex, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet in their respective polling places in said Lynnfield, on Tuesday, April 10, 2018 at 7:00 a.m., then and there to bring in their votes on one ballot for the choice of all necessary Town Officers for the ensuing year, chosen in this manner, viz.: one Board of Selectmen member for three years; one Town Moderator for one year; one Board of Assessor member for three years; two Board of Library Trustees members for three years; two School Committee members for three years; one Planning Board member for five years; and one Planning Board member for one year to fill an unexpired five-year term, and one ballot question, to wit: Are you in favor of the Town of Lynnfield continuing to pursue efforts to develop a recreational path along the unused MBTA right-of-way, known as the Wakefield-Lynnfield rail trail project? This question is not binding, per G.L. c. 54, s. 42B.

The Polls in each precinct will open at 7:00 a.m., and will be closed at 8:00 p.m., on said April 9, 2019. The polling places for voters in Precincts 1, 2, 3 and 4 will be at Lynnfield High School, Essex Street, all in said Lynnfield.

And you are further directed to notify and warn the inhabitants of the Town of Lynnfield qualified to vote in elections and Town affairs, to meet in the Middle School Auditorium, Cafeteria, and the Gymnasium, if necessary, on Monday, April 29, 2019 at 7:00 p.m., then and there to act on the following articles:

ARTICLE 1. To act on reports of Town officers and special committees as published.

Submitted by BOARD OF SELECTMEN

ARTICLE 2. To choose all Town officers not required to be chosen by ballot: viz.; three field drivers, one pound keeper and three wood measurers.

Submitted by BOARD OF SELECTMEN

ARTICLE 3. To see if the Town will vote to FIX THE COMPENSATION of each of the Elective Officers of the Town as required by General Laws, Chapter 41, Section 108, as amended.

Submitted by BOARD OF SELECTMEN

ARTICLE 4. To see if the Town will vote to raise and appropriate or transfer from available funds, sums of money to supplement certain accounts in the current 2019 Fiscal Year where balances are below projected expenditures for various reasons; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 5. To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, sums of money to pay overdue bills of a prior fiscal year, or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 6. To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds, or otherwise, a sum of money for the necessary Town charges and expenses; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 7. To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds or by borrowing, or from any or all such sources, sums of money for the purchase of various equipment and items in the nature of capital expenditure and to give authority to credit the value of the various old equipment to be turned in toward the purchase price of said items, said sums of money to be expended under the direction of various Town boards, committees, or officers; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 8. To see if the Town will vote to raise and appropriate and/or appropriate by transfer from available funds a sum of money for the town's Stabilization Fund, or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 9. To see if the Town will vote to establish, with respect to each of the following revolving funds, the following limits on the total amount that may be expended from each such fund in Fiscal Year 2020:

<u>Revolving Fund</u>	<u>Maximum Expenditure</u>
Council on Aging	\$ 50,000
Board of Health	\$ 15,000
Library	\$ 10,000
Recreation	\$300,000
Public Works – Fields	\$ 60,000
Public Works – Merritt Center	\$ 10,000

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 10. To see if the Town will vote to appropriate a sum of money from Emergency Medical Service Enterprise receipts to pay expenses and contractual services required to operate the emergency medical service in the Town of Lynnfield, said Enterprise Fund to be credited with all fees and charges received during Fiscal Year 2019 from persons using said service; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 11. To see if the Town will vote to appropriate a sum of money from Golf Enterprise receipts and/or Golf Enterprise Retained Earnings to pay expenses and contractual services required to operate the Reedy Meadow Golf Course and King Rail Golf Course, said Enterprise Fund to be credited with all fees and charges received during Fiscal Year 2019 from persons using the golf courses; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 12. To see if the Town will vote to adopt the provisions of Massachusetts General Laws Chapter 90, Section 17C: “Establishment of 25-miles-per-hour speed limit in thickly settled or business district in city or town; violation”; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 13. To see if the Town will vote to authorize the Board of Selectmen to file with the General Court a petition for special legislation to remove the position of sealer of weights and measures from the provisions of the Civil Service Law, substantially as follows:

“Section 1. The position of sealer of weights and measures within the Town of Lynnfield shall be exempt from the civil service law, chapter 31 of the General Laws.

“Section 2. The provisions of section 1 shall not impair the civil service status of any present incumbent sealer or weights and measures holding such status on the effective date of this act.

“Section 3. This act shall take effect upon its passage.”

provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Selectmen approve amendments to the bill before enactment by the General Court, the Selectmen being hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 14. ZONING AMENDMENT TO ALLOW A PVDD THEATER USE
SOLELY IN A CERTAIN PORTION OF THE TRADITIONAL
NEIGHBORHOOD VILLAGE SUB-DISTRICT WITHIN THE
PLANNED VILLAGE DEVELOPMENT DISTRICT

To see if the Town will vote to amend the Town of Lynnfield Zoning Bylaws in the following respects:

1. By amending Section 9.5.4 (Definitions) as follows:

By amending the definition of “Recreational Use” by inserting after the words “but not including a cinema” the words “other than a PVDD Theater”, so that said definition, as so amended, would read:

“Recreational Use - The principal use or intended principal use of land or structures for relaxation, entertainment, amusement, sports, or the like, whether on a fee or non-fee basis, but not including a cinema other than a PVDD Theater.”

By inserting at the end of said Section a new definition entitled: “PVDD Theater” as follows:

“PVDD Theater - A theater designed and constructed for the intended purpose of showing films or video for a fee, including providing a venue for occasional lectures or similar community events, whether or not for a fee, and which satisfies each of the following criteria:

- (a) no more than eight hundred (800) theater seats;
- (b) no more than eight (8) screens;
- (c) no more than 40,000 square feet of Gross Leasable Floor Area;
- (d) shall include premium seating and state of the art projection and sound and shall also include enhanced restaurant-style food and beverage service; and

- (e) the location is limited to that portion of the Traditional Neighborhood Village Sub-District labeled “PVDD Theater (Permissible Area)” as shown on the accompanying plan entitled “Warrant Article Exhibit Plan” dated December 11, 2018.

- 2. By amending Section 9.5.6 (Prohibited Uses or Activities in the PVDD) as follows:

In No. 14, by adding the words “except that a PVDD Theater shall be an allowed use only in the portion of the Traditional Neighborhood Village Sub-District shown on the plan referenced in Section 9.5.4” after the word “Cinema,” so that Subsection 14, as so amended, would read:

“Cinema, except that a PVDD Theater shall be an allowed use only in the portion of the Traditional Neighborhood Village Sub-District shown on the plan referenced in Section 9.5.4.”

- 3. By amending Section 9.5.7.4(b) (Height in Traditional Neighborhood Village Sub-District) by adding the following sentence at the end:

“The maximum height of a PVDD Theater, excluding such an unoccupied architectural feature, shall be one (1) story and forty-five (45) feet.”

So that Section 9.5.7.4(b), as so amended, would read as follows:

“(b) In the Traditional Neighborhood Village Sub-District, the maximum height of a one story building shall be thirty (30) feet, the maximum height of a two story building shall be forty-five (45) feet, provided further that an architectural feature of a building located at a corner or at the end of a streetscape may be permitted up to sixty (60) feet in height at locations designated in the Design Standards provided that the portion of the architectural feature above forty-five (45) feet is not occupied. The maximum height of a PVDD Theater, excluding such an unoccupied architectural feature, shall be one (1) story and forty-five (45) feet.”

- 4. By amending Table 9.5.8-1 (Parking) to add the following new line item after the “Residential Use” line item:

PVDD Theater	1 space per 3 seats.
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5. By amending Section 9.5.7.9 (Dimensional and Other Requirements) (Total allowable non-residential uses) by adding the following language:

In the first sentence thereof:

By adding the words “and PVDD Theater” after the word “recreational” and before the word “uses”;

By adding the words “and PVDD Theater” after the word “retail” and before the word “portions”;

By adding the words “and PVDD Theater” after the word “retail” and before the word “spaces”; and

By deleting the figure “50,000” and substituting the words and figure “not less than 29,000.”

In the second sentence thereof:

By deleting the figure “50,000” and substituting the figure “29,000”;

So that Section 9.5.7.9, as so amended, would read as follows:

“9. Total allowable non-residential uses. The total non-residential uses within the PVDD, including retail, restaurant, office, recreational and PVDD Theater uses, but excluding the 55,000 square feet of Gross Leasable Floor Area of the fitness facility in existence on the date of adoption of this Section 9.5, shall not exceed a total of 475,000 square feet of Gross Leasable Floor Area; provided, however, that this total shall include not less than 29,000 square feet of Gross Leasable Floor Area that is located solely on the second floor of a building; and provided further that, for retail and PVDD Theater portions of a Development Project, the difference between Gross Leasable Floor Area and the Gross Floor Area of all retail and PVDD Theater spaces shall not exceed five percent (5%). Nothing in this section shall limit the right of the Applicant to propose that greater than 29,000 square feet of Gross Leasable Floor Area be located on the second floor of a building, subject to compliance with the Dimensional Standards in this Section 9.5.7.”

6. By amending Section 9.5.7.11. Structured parking, by adding the following sentence at the end of Section 9.5.7.11(a):

“A parking structure with not less than 300 parking spaces to serve the needs of a PVDD Theater in the Traditional Neighborhood Village Sub-District shall be located only in that portion of said Sub-District in the location labeled “Parking Structure (Permissible Area)” on the plan referenced in Section 9.5.4.”

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 15. To see if the Town will vote to amend the Town of Lynnfield Zoning Bylaws in the following respects:

By amending Appendix A, the Table of Use Regulations, to require a special permit from the Planning Board for any Housing for the Elderly use and to allow single family residential use as of right in the Elderly Housing District by revising the column under Elderly Housing (1st and 5th Residential entries) to read as follows:

	<u>Residential</u>					<u>Business</u>				<u>Industrial</u>	<u>Municipal</u>
	RA	RB	RC	RD	EH	LB	GB	C	OP	LI	M
A1 One-family detached house, with not more than one such house located on any lot provided that no such property shall be leased or rented for a period of thirty (30) days or less unless specifically authorized by the Board of Appeals		Y	Y	Y	Y	Y	N	N	N	N	N
A5 Housing for the Elderly		N	N	N	N	PB	N	N	N	N	N

or to take any other action in connection therewith.

Submitted by PLANNING BOARD

ARTICLE 16. To see if the Town will vote to amend the existing "Zoning Map of the Town of Lynnfield, MA Dec. 1953" together with all duly adopted amendments and revisions thereto, as filed in the Office of the Town Clerk, so that the following described parcel located at and behind 1414 Main Street, Lynnfield, Essex County, Massachusetts, being shown on Assessor's Map 8 as Lots 1325, 1488 and 2113, to be rezoned from the Residence D (RD) Zoning District to the Elderly Housing (EH) District.

A certain tract of land on the north side of Main Street in Lynnfield, Massachusetts, Essex County shown as Lot A on a plan entitled, "Rezoning Plan, located in Lynnfield, Mass., prepared for The Suzanne S. Winn 2010 Revocable Trust & Richardson Green, Inc. dated January 28, 2019, prepared by The Morin-Cameron Group, Inc.", Danvers, Massachusetts.

Said Lot A is more particularly described as follows:

Beginning at the southeast corner of the premises at Main Street and land now or formerly of The Sagamore Place Realty Trust.

Thence by Main Street S56°41'37"W a distance of 298.24' to land now or formerly of Muriel & Thomas Hutton;

Thence by land n/f Hutton N18°09'4"W a distance of 375.25' to a point;
Thence by various abutters as shown on plan S68°44'22"W a distance of 771.59'
to land now or formerly of Sagamore Springs Realty Trust and Luff, Luff &
Thompson Trust;

Thence by land n/f of Sagamore Springs Realty Trust and Luff, Luff & Thompson
Trust N21°20'40"E a distance of 527.43 to a point;

Thence by land n/f of Sagamore Springs Realty Trust and Luff, Luff & Thompson
Trust and land n/f Town of Lynnfield Conservation Commission N01°14'29"E a
distance of 549.96' to land now or formerly of Lynnfield Center Water District;

Thence by land n/f of Lynnfield Center Water District and land n/f Town of
Lynnfield Conservation Commission N62°14'39"E a distance of 500.00';

Thence continuing by land n/f Lynnfield Center Water District and land n/f Town
of Lynnfield Conservation Commission S65°47'16"E a distance of 532.32' land
now or formerly of Lynnfield Center Water District;

Thence by land n/f of The Sagamore Place Realty Trust S03°05'07"E a distance
of 628.38' to other land now or formerly of The Sagamore Place Realty Trust;
Thence continuing by other land now or formerly of The Sagamore Place Realty
Trust S71°33'37"W a distance of 57.89' to a point;

Thence continuing by other land now or formerly of The Sagamore Place Realty
Trust S07°26'38"E a distance of 325.51' to Main Street and the point of
beginning.

Containing 22.6 +/- acres as shown on plan.

Meaning and intending to describe Lot A on the above referenced plan. For title
see deed from Richardson's Farms, Inc. to Richardson Green, Inc. recorded in
Book 28255 Page 254 South Essex Registry of Deeds. See also deed from Henry
J. & Suzanna S. Winn to the Suzanne S. Winn 2010 Revocable Trust recorded in
Book 29498 Page 456."

or what action in will take thereon.

Submitted by PETITION

ARTICLE 17. To see if the Town will vote to accept the provisions of M.G.L. Chapter
40, Section 22F, which allows local boards and officers to set fees for licenses, permits,
certificates or services, or to take any other action in connection therewith.

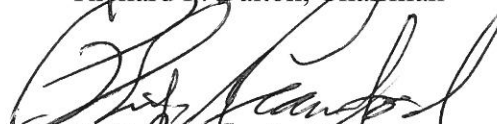
Submitted by BOARD OF SELECTMEN

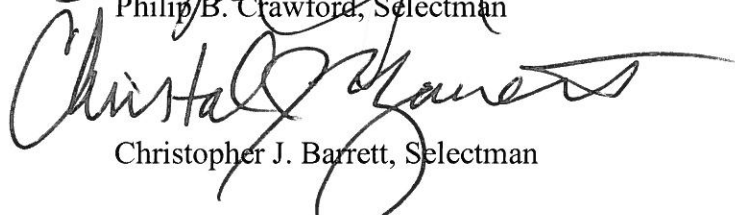
And you are further directed to serve this warrant, by posting up attested copies thereof, in at least six public places in said Town of Lynnfield, seven days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, or before hand as aforesaid.

Given under our hands this 20th day of March in the year of our Lord two thousand and nineteen.


Richard P. Dalton, Chairman


Philip B. Crawford, Selectman


Christopher J. Barrett, Selectman

A true copy
ATTEST:


Paul Mundy, Constable

Date: 3-26-19

Pursuant to the within Warrant, I have this day notified and warned the inhabitants of the Town of Lynnfield as herein directed by posting nine attested copies of the Warrant in said Lynnfield seven (7) days before the time and calling of said election.

Paul Minsky
Constable

A handwritten signature in cursive script that reads "Paul Minsky". The signature is written in dark ink and is positioned to the right of the printed name and title.

Posted at:
Center Post Office
Center Market
Lynnfield Water District
Library
Pump 'n Pantry
Senior Center
South Post Office
South Fire Station
Town Hall